

FILE NO.: SCT-6001-16
DATE: 20180718

**SPECIFIC CLAIMS TRIBUNAL
TRIBUNAL DES REVENDICATIONS PARTICULIÈRES**

BETWEEN:)	
)	
PAUL FIRST NATION)	Neil Reddekopp and Anita Thompson, for
)	the Claimant
)	
Claimant)	
)	
– and –)	
)	
HER MAJESTY THE QUEEN IN RIGHT)	Ursula Tauscher and Charlotte Chan, for the
OF CANADA)	Respondent
As represented by the Minister of Indian)	
Affairs and Northern Development)	
)	
)	
Respondent)	
)	
)	
)	HEARD: July 17, 2018

ENDORSEMENT AND ORDER

Honourable Paul Mayer

A Case Management Conference (CMC) was held by teleconference on July 17, 2018, at 11:00 A.M., Eastern Time (Ottawa).

[1] The Parties reported that they are in the process of drafting an Agreed Statement of Facts. The Claimant shall provide its feedback on the Respondent’s comments on or before **July 31, 2018**, and the Parties undertake to have the Agreed Statement of Facts finalized on or before **September 17, 2018**.

[2] The Claimant shall notify the Respondent on or before **August 1, 2018** as to whether or not it intends to call reply expert evidence.

[3] The Parties shall exchange any outstanding documents on or before **August 16, 2018**.

[4] The next CMC shall be held by teleconference on **August 16, 2018** at 11:00 A.M., Eastern Time (Ottawa). The Parties should be prepared to discuss progress on preparing their Common Book of Documents and Agreed Statement of Facts, and to report on whether they are ready to schedule a two day expert evidence and validity hearing during the week of October 15, 2018.

[5] Pursuant to Rule 10 of the *Specific Claims Tribunal Rules of Practice and Procedure*, SOR/2011-119, and upon the request of the Parties, **THE TRIBUNAL ORDERS that:**

a. The hearing of this Claim shall proceed in two separate stages, in order to deal with issues of validity and compensation, respectively;

b. The Tribunal will first hold a hearing and render its decision on the validity of the Claim (Validity Stage);

c. The second stage of this Claim pertaining to compensation, including the principles of compensation and any applicable compensation criteria (Compensation Stage), will only proceed if the Claim is found to be valid. The Compensation Stage will not begin until the Validity Stage has been completed, and the issue of validity decided;

d. If the Claim is ultimately determined to be valid, the Parties will have a reasonable amount of time to gather evidence relating to compensation, including expert evidence, before the Compensation Stage begins;

e. The Parties may delay taking steps to prepare their cases on compensation until a determination is made on validity; and,

f. In relation to this Order of Bifurcation, there shall be no costs awarded to either party.

PAUL MAYER

Honourable Paul Mayer